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REMARKS

Claims 1-18 stand rejected for obviousness under 35 U.S.C § 103(a) as being unpatentable over Rubin *et al.*, (U.S. Patent Pub. No. US 2004/0233235) in view of Dupouy, (U.S. Patent No. 6,057,845). As is shown below, neither Rubin nor Dupouy, either alone or in combination, teaches or suggests a method, system, or computer program product for a context aware, shortcut enabled method of presenting information through a user interface on a client device as claimed in the present application. Claims 1-18 are therefore patentable and should be allowed. Applicants respectfully traverse each rejection individually and request reconsideration of claims 1-18.

Claim Rejections – 35 U.S.C. § 103

Claims 1-18 stand rejected under 35 U.S.C § 103(a) as unpatentable over Rubin *et al.*, (U.S. Patent Pub. No. US 2004/0233235) (hereinafter "Rubin") in view of Dupouy, (U.S. Patent No. 6,057,845). Applicants respectfully traverse each rejection. To establish a prima facie case of obviousness, three basic criteria must be met. *Manual of Patent Examining Procedure* § 2142. The first element of a prima facie case of obviousness under 35 U.S.C. § 103 is that there must be a suggestion or motivation to combine the references. *In re Vaeck*, 947 F.2d 488, 493, 20 USPQ2d 1438, 1442 (Fed. Cir. 1991). The second element of a prima facie case of obviousness under 35 U.S.C. § 103 is that there must be a reasonable expectation of success in the proposed combination of the references. *In re Merck & Co., Inc.*, 800 F.2d 1091, 1097, 231 USPQ 375, 379 (Fed. Cir. 1986). The third element of a prima facie case of obviousness under 35 U.S.C. § 103 is that the proposed combination of the references must teach or suggest all of Applicants' claim limitations. *In re Royka*, 490 F.2d 981, 985, 180 USPQ 580, 583 (CCPA 1974).

Claims 1-18 stand rejected under 35 U.S.C § 103(a) as unpatentable over Rubin in view of Dupouy. The proposed combination of Rubin and Dupouy cannot establish a prima

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facie case of obviousness because the proposed combination does not teach each and every element of claims 1-18, there is no suggestion or motivation to make the proposed combination, and there is no reasonable expectation of success in the proposed combination.

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The Combination Of Rubin and Dupouy
Does Not Teach All Of Applicants' Claim Limitation

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The combination of Rubin and Dupouy does not teach or suggest all of Applicants' claim limitations. The present application is entitled "Shortcut Enabled, Context Aware Information Management." Independent claim 1, as amended, says:

> A context aware, shortcut enabled method of presenting information through a user interface on a client device, the method comprising the steps of:
>
> selecting a context;
>
> receiving a shortcut entered through the user interface, the shortcut having associated with it a shortcut field name set comprising one or more shortcut field names;
>
> inferring from a context definition table, in dependence upon the context, a context table name and a context field name;
>
> selecting information records from an information database in dependence upon the context, the context table name, the shortcut field names, and the context field name; and
>
> displaying selected records through the user interface on the client device.

The Office Action states that Rubin at sections 206 and 212 discloses:

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inferring from a context definition table, in dependence upon the context, a context table name and a context field name (a navigation context database containing navigation records and tables allowing support for a rich variety of queries and views. A table has a table name or identification identifier and a table has at least one of record and each record has at least one filed (sic) within in that record: section 0206 and each context has its own state information: section 0212);

Applicants respectfully note in response, however, that what Rubin at section 0206, in fact discloses is:

> History (which could include all the pages the user has viewed) may be viewed in a number of ways: by time, by appearance, by site, document, section, page, and the like. Since a user's navigation history is saved, the users' sequence may be viewed: as nodes with side tracking branches, as a linear list, or as a combination of most recently viewed pages and last few task categories. . . . Accordingly, maintaining the navigation context as a database of navigation records allows support for a rich variety of queries and views.

The cited portion of Rubin appears to disclose maintaining user navigation history in a database. The maintaining of user navigation history in a database of Rubin does not teach or suggest inferring from a context definition table, in dependence upon the context, a context table name and a context field name as claimed in the present application.

Applicants further respectfully note in response, that what Rubin at section 0212, in fact discloses is:

> This is very unlike prior art multi-windowing UIs in which each application has its own navigation history that can not be integrated with the history of other applications a user is concurrently running. For

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example, suppose a user runs a word processor and a browser concurrently
on a desktop computer. . . . The browser and the word processor
essentially exist in separate contexts, with each context having its own
state information and unique history.

The cited portion of Rubin appears to disclose unique contexts and histories in multi-windowing user interfaces. The unique contexts and histories in multi-windowing user interfaces of Rubin does not teach or suggest inferring from a context definition table, in dependence upon the context, a context table name and a context field name as claimed in the present application.

In summary, Rubin appears to disclose maintaining user navigation history in a database and unique contexts and histories in multi-windowing user interfaces. The unique contexts and histories in multi-windowing user interfaces and maintaining user navigation history in a database of Rubin do not disclose inferring from a context definition table, in dependence upon the context, a context table name and a context field name as claimed in the present application.

Applicants also respectfully note that in Rubin, 'context' refers to a current document in a navigation history. Rubin makes this meaning clear at section 0071 where a navigational context is described as: "Specifically, when a user navigates from one place to another, a new branch in the navigation chain is started. So, if a user's context is currently B in the existing chain of document pages A-B-C, and the user navigates to D, then the new context is D." In the present application, the term 'context' is also used, but with a different meaning. In the present application a 'context' is a data element in dependence upon which information records are selected for display from an information database. Although Rubin talks about a navigation history database, and uses the word context, Rubin does not teach or suggest a context definition table as claimed in the present application. Rubin also does not teach or suggest a context table name or a context field name. It is therefore clear that Rubin cannot and does not teach or suggest inferring from a context definition table, in dependence upon the context, a context table name and a

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context field name as claimed in the present application. Claim 1 is therefore patentable and should be allowed.

Turning now to another element of claim 1, the Office Action states that Rubin at sections 0074-0076 discloses:

> selecting information records from an information database in dependence upon the context, the context table name, the shortcut fields names, and the context field name (selecting the context via the selection of command button as well as the shortcut via user interface elements by using the mouse to click on the selection icon or item on the menu or toolbar...).

Applicants respectfully note in response, however, that what Rubin at sections 0074-0076, in fact discloses is:

> Therefore, in accordance with a preferred embodiment, instead of the current selection being the one whose document has the focus, the current selection is the most recently selected area. All commands that are configured to operate on selections will operate on that most recently selected area. Having executed, they will trim the navigation context at the branch point that leads from the current selection to the command itself.
>
> The benefit is that users are free to link into the web of UI pages, exploring them as necessary to find the desired command, and then to invoke it. The act of doing so will end up trimming all the UI navigation from the context, leaving the user back where the user was before navigating to UI pages. . . . Note that if no selection exists when a command is executed, then the next selection the user establishes will be considered to be the most recent selection for purposes of determining the command target. In this case, after the user makes the selection, command buttons will be presented in context with the selection by which the user can confirm or cancel execution of the previously selected command. Of

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course, other suitable methods of determining what selection to operate on
are also possible.

The cited portion of Rubin appears to disclose methods of executing a command on a
selection. The methods of executing a command on a selection of Rubin do not disclose
selecting information records from an information database in dependence upon the
context, the context table name, the shortcut field names, and the context field name as
claimed in the present application. Claim 1 is therefore patentable and should be
allowed.

Turning now to another element of claim 1, the Office Action states that Rubin at
sections 0004, 0042, and 0100 discloses:

> displaying selected records through the user interface on the client device
> (the selected or records to be displayed to the user for view in a particular
> region or frame of the display device or screen...).

Applicants respectfully note in response, however, that what Rubin at section 0004, in
fact discloses is:

> Further, the ways in which users interact with information about prior UIs
> is different than the way the user interacts with content, such as
> documents, presentations, and the like. For example, in prior art UIs,
> content and UI information are displayed entirely differently. Content is
> typically displayed in a particular region or frame of the display. User
> interface information is never displayed there. Instead, user interface
> information is displayed in dialog boxes, drop down menus, and tool bars.
> User content never shows up in dialog boxes, drop down menus, and tool
> bars. Similarly, users find user content documents and UI help information
> differently. Accordingly, there is a need for a UI architecture in which the
> concepts and actions the user must learn are the same for interacting with

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both content and the UI. Such a unification makes computer software easier and more efficient to use.

The cited portion of Rubin appears to disclose differences between displaying user interface information and content in Rubin's prior art user interfaces. The differences between displaying user interface information and content in certain user interfaces of Rubin does not teach or suggest displaying selected records through the user interface on the client device as claimed in the present application.

Applicants further respectfully note in response that what Rubin at section 0042, in fact discloses is:

> Various preferred embodiments of the documents-with-links UI will be explained below in the context of a portable "personal viewer" platform. Nevertheless, the documents-with-links UI is scalable across a wide range of device and display types from desktop computers to laptops to hand-held devices. Accordingly, the documents-with-links UI is intended to be implemented on any type of computing platform.

The cited portion of Rubin appears to disclose implementing a documents-with-links interface on various device and display types. Implementing a documents-with-links interface on various device and display types of Rubin does not teach or suggest displaying selected records through the user interface on the client device as claimed in the present application.

Applicants further respectfully note that what Rubin at section 0100, in fact discloses is:

> FIG. 2 shows a tablet and stylus computer that can be used in accordance with various aspects of the present invention. Any or all of the features, subsystems, and functions in the system of FIG. 1 can be included in the computer of FIG. 2. Computer 201 includes a large display surface 202 (e.g., a flat panel display) on which a plurality of windows 203 is

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displayed. Using stylus 204, a user can select, highlight, and write on the display area. Computer 201 interprets marks made using stylus 204 in order to manipulate data, enter text, and execute conventional computer application tasks such as spreadsheets, word processing programs, and the like. One commercially available tablet and stylus computer incorporating many of these features is the Stylistic 2300 computer sold by Fujitsu Personal Systems, Inc., of Santa Clara, Calif.

The cited portion of Rubin appears to disclose is implementing a documents-with-links interface on various devices and display types. Implementing a documents-with-links interface on various devices and display types of Rubin does not teach or suggest displaying selected records through the user interface on the client device as claimed in the present application.

In summary, Rubin appears to disclose differences between displaying user interface information and content in Rubin's prior art user interfaces, and implementing a documents-with-links interface on various devices and display types. The differences between displaying user interface information and content in Rubin's prior art user interfaces and implementation of a documents-with-links interface on various devices and display types of Rubin do not disclose displaying selected records through the user interface on the client device as claimed in the present application. Moreover, the displaying in the cited portions of Rubin are merely generic references to displaying data on a computer. Displaying generic data on a computer in Rubin does not teach or suggest anything regarding displaying selected records through the user interface on the client device, where the records are selected in dependence upon the context, the context table name, the shortcut field names, and the context field name. Claim 1 is therefore patentable and should be allowed.

The Office Action correctly acknowledges that Rubin does not teach a shortcut having associated with it a shortcut field name set comprising one or more shortcut field names

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as claimed in claim 1. However, the Office Action goes on to state that Dupouy at
column 4, lines 58-67, column 5, lines 1-5 and column 1, lines 18-48 discloses:

> A universal command entered by a user via keystrokes or combinations of
> keystrokes as shortcuts, which has a short field and name via a gestures as
> results of a double click with the mouse on the user interface elements
> such as icons ....

Applicants respectfully note in response, however, that what Dupouy at column 4, lines
58-67 through column 5, lines 1-5 , in fact discloses is:

> In accordance with the present invention, the system 10 dynamically
> recognizes the current context 200 of the input device 104. This is
> important for systems having multiple contexts. A context includes an
> application 132, an operating system 136, or a second device 140.
> However, if the system has only one context, then the system may not
> need this functionality. After recognizing the current context, the system
> recognizes a universal command 204 entered by the user 100. If the input
> signal is not a universal command, the input signal is routed to the current
> context for processing. In the preferred embodiment, the universal
> command is preferably entered as a gesture. A gesture can be any
> character, symbol, or other creation of the user. However, the universal
> commands may also be keystrokes or combinations of keystrokes.

The cited portion of Dupouy appears to disclose is a universal command operable across
several contexts. Applicants note that Dupouy indicates that in Dupouy, 'context' refers
to an application, operating system or second device. In the present application, the term
'context' is also used, but with a different meaning.   In the present application a
'context' is a data element in dependence upon which information records are selected
for display from an information database. The universal command operable across
several contexts of Dupouy does not teach or suggest a shortcut having associated with it

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a shortcut field name set comprising one or more shortcut field names as claimed in the present application.

Applicants further respectfully note that what Dupouy at column 1, lines 18-48, in fact discloses is:

> Applications designed for users often have shortcuts or quick command keys designed to make it easier to use their application. For example, a word processing program might enable the Ctrl-S combination to result in a save command. Or a spread sheet program may use a Ctrl-C to cut a block of data in order to be moved....Unfortunately, all applications do not use the same shortcuts for the same functionality. . . .Also, the user is generally limited to the quick commands defined by the application. Often their quick commands are not intuitive for the user.

The cited portion of Dupouy appears to disclose is shortcuts in user applications. The shortcuts in user applications of Dupouy do not teach or suggest a shortcut having associated with it a shortcut field name set comprising one or more shortcut field names as claimed in the present application.

In summary, Dupouy appears to disclose a universal command and shortcuts in user applications. The universal command and shortcuts in user applications of Dupouy do not disclose a shortcut having associated with it a shortcut field name set comprising one or more shortcut field names as claimed in the present application. Moreover, the references to shortcuts in this section of Dupouy are references to traditional shortcuts for invoking executables, commands or hyperlinks. That is, the cited portions of Dupouy do not teach or suggest anything regarding shortcuts according to the present application that bear associated field name sets in dependence upon which context data is inferred and information records for display are selected. Claim 1 is therefore patentable and should be allowed.

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No Suggestion or Motivation to Modify Rubin

To establish a prima facie case of obviousness, there must be a suggestion or motivation to modify cited art. *In re Vaeck*, 947 F.2d 488, 493, 20 USPQ2d 1438, 1442 (Fed. Cir. 1991). The suggestion or motivation to modify Rubin must come from the teaching of the cited art itself, and the Examiner must explicitly point to the teaching within the cited art suggesting the proposed modification. Absent such a showing, the Examiner has impermissibly used "hindsight" occasioned by Applicants' own teaching to reject the claims. *In re Surko*, 11 F.3d 887, 42 U.S.P.Q.2d 1476 (Fed. Cir. 1997); *In re Vaeck*, 947 F.2d 488m 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991); *In re Gorman*, 933 F.2d 982, 986, 18 U.S.P.Q.2d 1885, 1888 (Fed. Cir. 1991); *In re Bond*, 910 F.2d 831, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990); *In re Laskowski*, 871 F..2d 115, 117, 10 U.S.P.Q.2d 1397, 1398 (Fed. Cir. 1989).

The Office Action at page 4 states its rationale for motivation to combine as:

> The motivation being to enable user to click with the mouse on the user interface elements to cause the context of menu to be displayed on the client device.

Prior to stating the rationale above, the Office Action cites portions of Rubin and Dupouy; however, no where does the Office Action point to any teaching which suggests the motivation to combine the references.

The Office Action cites Figures 3 and 4 of Rubin as teaching "selecting and receiving context and shortcut via user interface elements." Rubin at sections 0103-0104 describes Figure 3. Figure 3 and sections 0103-0104 describing Figure 3, merely describes in general terms steps to implement a user interface architecture, suggesting nothing whatsoever about combining Rubin with Dupouy. Rubin at sections 0105-0107 describes Figure 4. Figure 4 and sections 0105-0107 describing Figure 4, merely describes in general terms steps to implement a "display state," suggesting nothing whatsoever about combining Rubin with Dupouy.

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The Office Action cites column 4, lines 58-67 and column 5, lines 1-5 of Dupouy as teaching "the use of universal command entered by user as shortcuts or gestures as results of clicking with the mouse." In fact, Dupouy at column 4, lines 58-67, merely describes in general terms recognizing what application, operating system or device (defined as "contexts" in Dupouy) input is directed to, suggesting nothing whatsoever about combining Rubin with Dupouy. Dupouy at column 5, lines 1-5, merely describes in general terms methods of entering commands, suggesting nothing whatsoever about combining Rubin with Dupouy.

Applicants' respectfully note, as is demonstrated by other arguments presented in this response, that Rubin and Dupouy cannot be successfully combined to provide a context aware, shortcut enabled method of presenting information through a user interface on a client device. Furthermore, even if the combination could be made, the mere fact that references can be combined or modified is not sufficient to establish prima facie obviousness. The prior art must also suggest the desirability of making the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). The Office Action does not point to any teaching or suggestion of the desirability of making the proposed combination of Rubin and Dupouy. Absent such a showing, the proposed combination cannot establish a prima facie case of obviousness.

<u>No Reasonable Expectation of Success in the</u>
<u>Proposed Combination of Rubin and Dupouy</u>

To establish a prima facie case of obviousness, there must be a reasonable expectation of success in the proposed modification of Rubin. *In re Merck & Co., Inc.*, 800 F.2d 1091, 1097, 231 USPQ 375, 379 (Fed. Cir. 1986). There can be no reasonable expectation of success in a proposed modification if the proposed modification changes the principle of operation of Rubin. *In re Ratti*, 270 F.2d 810, 123 USPQ 349 (CCPA 1959).

There can be no reasonable expectation of success in a proposed combination of user interface and navigation contexts of Rubin with the universal command that works across

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multiple contexts of Dupouy to produce a context aware, shortcut enabled method of presenting information through a user interface on a client device as claimed in the present application. Both references use the term 'context'; however, it is clear that the references define the term differently. In Rubin, 'context' refers to a current document in a navigation history. Rubin makes this meaning clear at section 0071 where a navigational context is described as: "Specifically, when a user navigates from one place to another, a new branch in the navigation chain is started. So, if a user's context is currently B in the existing chain of document pages A-B-C, and the user navigates to D, then the new context is D." In Dupouy, 'context' refers to an application, an operating system or a second device as is clearly stated in Dupouy at column 4, lines 61 and 62. Therefore, the principle of operation of Rubin, a user interface with navigation contexts which are a current document in a navigation history, is changed completely, by changing the meaning of the term 'context' to applications, operating systems or second devices. The proposed modification of Rubin by Dupouy therefore cannot possibly support a prima facie case of obviousness.

Relations Among Claims

Independent claim 1 claims method aspects of context aware, shortcut enabled method of presenting information through a user interface on a client device according to embodiments of the present invention. Independent claims 7 and 13 respectively claim system and computer program product aspects of a context aware, shortcut enabled method of presenting information through a user interface on a client device according to embodiments of the present invention. Claim 1 is allowable for the reasons set forth above. Claims 7 and 13 are allowable because claim 1 is allowable. The rejections of claims 7 and 13 therefore should be withdrawn, and claims 7 and 13 should be allowed.

Claims 2-6, 8-12, and 14-18 depend respectively from independent claims 1, 7, and 13. Each dependent claim includes all of the limitations of the independent claim from which it depends. Because the combination of Rubin and Dupouy does not disclose or suggest each and every element of the independent claims, so also the combination of Rubin and Dupouy cannot possibly disclose or suggest each and every element of any dependent

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claim. The rejections of claims 2-6, 8-12, and 14-18 therefore should be withdrawn, and these claims also should be allowed.

<div align="center">Conclusion</div>

Claims 1-18 stand rejected for obviousness under 35 U.S.C § 103(a) as unpatentable over Rubin, *et al.* (U.S. Patent Pub. No. US 2004/0233235) in view of Dupouy (U.S. Patent No. 6,057,845). For the reasons set forth above, however, the proposed modification of Rubin in view of Dupouy fails to establish a prima face case of obviousness. The rejection of claims 1-18 should therefore be withdrawn, and the claims should be allowed. Reconsideration of claims 1-18 in light of the present remarks is respectfully requested.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 09-0447 for any fees required or overpaid.

Respectfully submitted,

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